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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Lauren B. Bailey.

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## DIGEST

Present law (R.S. 11:701)(10)) relative to the Teachers' Retirement System of Louisiana (TRSL), defines "earnable compensation" as compensation earned by a member during the full normal working time as a teacher. Provides for various limitations and exclusions.

Proposed law retains present law and provides that "earnable compensation" shall not include any compensation paid to an employee of a charter school which exceeds the salary that would have been received if employed by the city, parish, or other local public school system whose boundaries include the charter school.

Present law (R.S. 11:701)(11)) defines "employer" as the State of La., the parish school board, the city school board, the State Board of Education, the board of supervisors of LSU or any other agency of and within the State. Proposed law retains present law and adds charter schools to the list of employers within the definition.

Present law (R.S. 11:701(33)) defines "teacher" to include certain individuals, including any employee of a city or parish school board, parish or city superintendent, or assistant superintendent of public schools.

Present law (R.S. 11:721) requires all teachers to become members of TRSL as a condition of employment. Proposed law retains present law, and includes charter school employees within the definition of "teacher".

Present law (R.S. 11:701(33)) excludes certain individuals from the definition of "teacher" for membership purposes, including any school employee who is employed as a bus driver, janitor, maintenance worker, school custodian, school bus aide, monitor, attendant, or other persons working on a school bus.

Proposed law retains present law and provides that charter school employees filling such positions shall not be considered "teachers".

Proposed law provides that any charter school employee who entered into an employment contract with the charter school before July 1, 2010, (the effective date of proposed law) which does not provide for membership in this system shall not become a member of this system until the expiration of the term of the contract that is in effect on July 1, 2010.

Present law (R.S. 11:728) provides generally for purchase of TRSL credit for prior service rendered as a teacher.

Present law (R.S. 11:728(C)(1)(a)) provides for purchase of credit in TRSL for teaching service

rendered in any nonpublic college or university in La., and/or state approved elementary or secondary nonpublic or parochial schools in La.

Proposed law retains present law and adds eligibility to purchase credit for teaching service in any charter school in La.

Proposed law clarifies that any purchase of service credit for teaching not covered by TRSL shall be made on an actuarially sound basis in accordance with present law.

Present law (R.S. 17:3997) generally provides that employment in a charter school is deemed to be employment in a public elementary or secondary school for purposes of eligibility for all benefits of public school employment, including but not limited to retirement benefits. Provides however that charter school participation in such benefit programs is determined by the school's charter.

Proposed law retains present law and requires charter school employees to be members of TRSL if they meet the definition of "teacher" contained in the laws relative to that system.  
Effective July 1, 2010.

(Amends R.S. 11:701(intro. para.), (10), (11), and (33)(b)(i), and 728(A)(4) and (C)(1)(a) and (b)(ii) and (iii) and (2), and 17:3997(A)(2), (3), and (4); adds R.S.11:701(33)(d) and (e) and R.S. 728(G); and repeals R.S. 11:701(33)(a)(xii))